

Young-Gil Lee
Serial No.: 10/674,591
Filed: September 30, 2003
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REMARKS

Claims 1-10 were pending in the subject application. Applicant has hereinabove canceled claims 1-5, 7 and 10 without prejudice or disclaimer, added new dependent claim 11, and amended claims 6, 8 and 9 to place the claims in better form for examination. Accordingly, claims 6, 8, 9 and 11 are now pending, with claims 6 and 9 in independent form.

Applicant maintains that no new matter is presented by this amendment. Claim 6 has been amended by incorporating features recited in claim 7 which has been canceled, and claim 8 has been amended to depend from claim 6. Claim 9 has been amended by incorporating features recited in claim 10 which has been canceled. Support for new claim 11 can be found in the application at, for example, page 6, lines 1-3.

Accordingly, Applicant respectfully requests that this Amendment be entered.

Rejection under 35 U.S.C. §112, second paragraph

On page 2 of the September 28, 2004 Office Action, claim 10 was rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The Examiner stated that there is not proper antecedent basis for "the bottom plate" recited in claim 10.

In response, Applicant has hereinabove canceled claim 10. Therefore, the rejection is now moot.

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Accordingly, Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

Rejection Under 35 U.S.C. §102(b)

On page 2 of the September 28, 2004 Office Action, claims 1 and 2 were rejected under 35 U.S.C. §102(b) as purportedly anticipated by U.S. Patent No. 921,359 to Carter.

The Examiner stated that Carter employs an odd number of nested coils.

By this Amendment, claims 1 and 2 have been canceled.

Therefore, the rejection of claims 1 and 2 under 35 U.S.C. §102(b) is now moot.

Rejection Under 35 U.S.C. §102(b)

On page 2 of the September 28, 2004 Office Action, claims 1, 3-6 and 9 were rejected under 35 U.S.C. §102(b) as purportedly anticipated by U.S. Patent No. 3,809,061 to Gerstmann.

The Examiner stated that the innermost coil 40 of Gerstmann is connected to "outer" coil 42 at return bend 56, where the coil diameter is smallest. The Examiner further stated that fins 38 dictate a minimum spacing between nested coils. The Examiner also stated that claim 5 merely recites an inherent property of any nested conical coils, i.e. the diameter of the space between coils gradually reduces, concurrent with the coil diameter reduction.

Regarding claim 6, the Examiner stated that member 60 and 62 of Gerstmann are noted.

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Regarding claim 9, the Examiner stated that Gerstmann discloses blower 28 and duct 26 associated with the lower, large diameter end of the nested coils.

By this Amendment, claims 1 and 3-5 have been canceled. Therefore, the rejection is now moot as to claims 1 and 3-5.

The Examiner states on page 3 of the September 28, 2004 Office Action that claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this Amendment, claim 7 has been canceled, and claim 6 has been amended by incorporating features which were recited in claim 7. Claim 6 as amended is believed to be allowable for at least the reasons claim 7 would have been allowable if rewritten into independent form.

Regarding claim 8, claim 8 as amended depends on and includes all the limitations of claim 6. Therefore, claim 8 is also allowable at least for the reasons that claim 6 is believed to be allowable.

The Examiner also states on page 3 of the September 28, 2004 Office Action that claim 10 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and it is amended to overcome the rejection under 35 U.S.C. §112, second paragraph.

By this Amendment, claim 10 has been canceled, and claim 9 has

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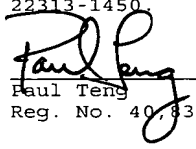
been amended by incorporating features which were recited in claim 10. Claim 9 as amended is believed to be allowable for at least the reasons claim 10 would have been allowable if rewritten into independent form.

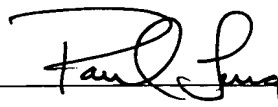
In view of the amendments to the claims and remarks hereinabove, Applicant maintains that claims 6, 8, 9 and 11 are now in condition for allowance.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicant's undersigned attorneys invite the Examiner to telephone them at the telephone number provided below.

If a petition for an additional extension of time is required to make this response timely. No fee, other than the \$120.00 fee for the one-month extension of time, is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
 Paul Teng Reg. No. 40,837	<u>January 27, 2005</u> Date


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